

A RESOLUTION

BY TRANSPORTATION COMMITTEE

02- 2 -0707

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDMENT NO. 11 TO THE CPTC LEASE AGREEMENT WITH CONTINENTAL AIRLINES, INC., WHICH SHALL PROVIDE FOR RELINQUISHMENT BY CONTINENTAL OF GATE D9 IN EXCHANGE FOR THE LEASE OF GATE D12 IN LIEU THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE A PREFERENTIAL USE AGREEMENT WITH CONTINENTAL AIRLINES INC. FOR USE OF GATES D6, D8, AND D10 ON CONCOURSE D SOUTH AT HARTSFIELD ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, The City of Atlanta (the "City") has entered into a Lease for space and facilities in the Central Passenger Terminal Complex ("CPTC") at Hartsfield Atlanta International Airport (the "Airport"), covering premises and facilities the North Terminal Building and on Concourse D-South with Continental Airlines, Inc. ("Continental Airlines"), hereinafter "Continental's CPTC Lease;" and

WHEREAS, Continental Airlines desires to release to the City Gate D9 in exchange for the lease of Gate D12 and for the use of certain other premises in the CPTC at Hartsfield Atlanta International Airport; and

WHEREAS, the City and Continental desire to enter into a Preferential Use Agreement for Gates D6, D8, and D10 on Concourse D South; and

WHEREAS, it is reasonable and appropriate to amend Continental's CPTC Lease and enter into a Preferential Use Agreement with Continental Airlines as hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA that the Mayor or her designee be and hereby is authorized to execute on behalf of the City of Atlanta an Amendment No. 11 to the CPTC Lease with Continental Airlines, Inc. under which Continental shall relinquish to the City Gate D9 and shall lease Gate D12 and associated premises and facilities, with a corresponding adjustment of the rentals and other charges related to such premises effective June 1, 2002.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that the Mayor be and she hereby is authorized to execute on behalf of the City of Atlanta a Preferential Use Agreement with Continental Airlines which shall contain the following terms, conditions, and provisions:

- 1) preferential use of Gates D6, D8, and D10 on Concourse South at the Airport;
- 2) a term effective on June 1, 2002 and ending on September 20, 2010; and
- 3) rental rates to be computed in the manner set forth in the CPTC Lease; and


- 4) such other terms, conditions, and provisions as may be required by City ordinances or Federal regulations or as are customarily included in similar agreements at the Airport.


BE IT FURTHER RESOLVED that the City Attorney be and hereby is directed to prepare the necessary agreements for execution by the Mayor, to be approved as to form by the City Attorney.

BE IT FINALLY RESOLVED that said Amendments shall not become binding upon the City of Atlanta, and the City of Atlanta shall incur no liability nor obligation thereunder until the same has been signed by the Mayor and delivered to Continental Airlines, Inc.

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon

General Manager's Signature: 
From: Originating Department: Aviation
Committee of Purview: Transportation
Committee Meeting: 05/15/02


Contact Person: Anita Williams(404) 530-6600
Committee Deadline: 05/03/02
Council Meeting: 05/20/02

CAPTION:

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDMENT NO. 11 TO THE CPTC LEASE AGREEMENT WITH CONTINENTAL AIRLINES, INC., WHICH SHALL PROVIDE FOR RELINQUISHMENT BY CONTINENTAL OF GATE D9 IN EXCHANGE FOR THE LEASE OF GATE D12 IN LIEU THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE A PREFERENTIAL USE AGREEMENT WITH CONTINENTAL AIRLINES INC. FOR USE OF GATES D6, D8, AND D10 ON CONOURSE D SOUTH AT HARTSFIELD ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

BACKGROUND/DISCUSSION:

Increasing demand for gate use and Airport management's commitment to promoting air carrier growth and competition requires development of additional preferential or common use facilities at the Airport. Approval of this resolution is necessary to accommodate Continental's need for gate facilities and associated premises. It is in the best interest of the Airport to execute an agreement that shall provide for Continental's preferential use of Gates D6, D8 and D10 and shall provide for Continental's release of Gate D9 and lease of Gate D12.

FINANCIAL IMPACT: N/A

SOURCE: N/A

Fund Account Center numbers and availability of funds verified by Financial Analyst, Tracy Curry.

Mayor's Staff Only:

Received by Mayor's Office: 4/30/02
(Date)

Reviewed: 
Initials) (Date)

Submitted to Council: _____

Action by Committee: _____ Approved _____ Adversed _____ Held _____ Amended
_____ Substituted _____ Referred _____ Other